



2024:DHC:4625



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment delivered on: 31.05.2024

+ **W.P.(C) 8357/2024****DR. KUSUMA PRAVEEN KUMAR**

..... Petitioner

versus

**DELHI PHARMACEUTICAL SCIENCE AND
RESEARCH UNIVERSITY AND ORS**

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Atul Chhikara, Mr. Sehdev Kumar
and Mr. Hitesh, Advocates

For the Respondent : Mr. Yashvardhan, Ms. Smita Kant, Ms.
Kritika Nagpal and Mr. Gyanendra
Shukla, Advocates for R-1.
Mr. Gaurav Dhingra and Mr. Shashank
Singh, Advocates for R-3 and 4.

CORAM:**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****TUSHAR RAO GEDELA, J. (ORAL)****[The proceeding has been conducted through Hybrid mode]****CM APPL. 34343/2024**

1. Exemption allowed subject to all just exceptions.
2. The application stand disposed of.



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3. This is a writ petition under Article 226 of the Constitution of India, 1950, seeking *inter alia* the following reliefs:-

“a) Issue a writ of certiorari to quash or set aside show cause notice dated 06.05.2024;

b) Issue writ of mandamus directing the respondents to declare the candidature and selection of the petitioner on the post of the assistant professor as valid and according to the service norms as per advertisement and rules notified by respondent competent authority;

c) Issue writ of prohibition restraining the respondent from passing an order from removal of service from immediate effect;

d) Issue a writ of mandamus/ PROHIBITION prohibiting the respondent removing the petitioner immediately by giving salary of the notice period; and

e) Pass any such order and further order(s) as may deem fit and proper to this Hon'ble Court in the interest of justice in the favour of the Petitioner and against the Respondents.”

4. The controversy in the present writ petition is similar to the one which had been raised before this Court in the case of ***Dr. Minakshi Garg vs. Delhi Pharmaceutical Sciences and Research University & Ors*** [W.P.(C) No. 6853/2024], as also ***Dr. Harvinder Popli vs. Delhi Pharmaceutical Sciences and Research University & Ors*** [W.P.(C) No. 6946/2024]. Both of which were disposed of on 14.05.2024 and 15.05.2024 respectively.



5. Without going into the merits as were noted in the previous judgements, suffice it to state that in the present case, the petitioner has already tendered her detailed reply to the Show Cause Notice dated 06.05.2024. The relevant paragraphs in terms of judgment of this Court in **Dr. Harvinder Popli** (*supra*) as noted above and applicable to the petitioner are as under:

“10...In view of the fact that the petitioner was in service of the respondent for a period of eight years, it would be just and appropriate to grant protection post the order to be passed by the Competent Authority for a period of 10 days from the said date for the petitioner to take appropriate steps for redressal of her grievance.

11. It is informed that the time to file the reply to the show cause notice is expiring on 16.05.2024. The petitioner is therefore granted ten days time to file her substantive reply. The Competent Authority is directed to consider the reply holistically taking into consideration that the petitioner was in fact employed by the University previously as also the fact that after having verified each and every document and testimonies the petitioner was confirmed in the year 201. The Competent Authority shall afford an opportunity of personal hearing to the petitioner. The date, time and venue will be intimated well in advance.”

(emphasis supplied)

6. Since the issues raised in the present writ petition are similar to the ones which have been raised earlier in the judgements noted above, apart from the directions being made applicable to the present petitioners too, the petitioner would also be granted the same protection of 10 days post the order to be passed by the Competent Authority to



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enable the petitioner to take appropriate steps for redressal of her grievances.

7. With the above observation the petition is disposed of with no order as to costs. Pending application also stands disposed of.

TUSHAR RAO GEDELA, J.

MAY 31, 2024

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